

21 FEB 2006

Transmittal Letter To The United States Designated/Elected Office (DO/EO/US) Concerning A Filing Under 35 U.S.C. 371		Attorney Docket: 27183U U.S. Application No. 10/368817 Not Yet Designated
International Application No.: PCT/EP2004/051948	International Filing Date: 27 Aug. 2004 (27.08.2004)	Priority Date Claimed: 28 Aug. 2003 (28.08.2003) EP
Title of Invention: COMPOSITION COMPRISING A PULMONARY SURFACTANT AND A PDE2 INHIBITOR		
Applicants for DO/EO/US: WOLLIN, Stefan-Lutz		
Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)): a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input checked="" type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). ITEMS 11 to 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED: 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. 14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A change of power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825 18. <input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4) 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4)		

U.S. Application No.: Not Yet Assigned	International Application No.: PCT/EP2004/051948	Attorney Docket: 27183U																						
20. <input checked="" type="checkbox"/> Other Information: TRANSMITTAL LETTER; INTERNATIONAL PUBLICATION NUMBER: WO 2005/021037 A1, WITH PCT/ISA/210 (INTERNATIONAL SEARCH REPORT); INTERNATIONAL PUBLICATION DATE: 10 MARCH 2005 (10.03.2005), WHICH CONSISTS OF 25 PAGES: 1 PAGE FOR THE COVER SHEET, WITH ABSTRACT, 18 PAGES OF TEXTUAL SPECIFICATION, 5 PAGES OF 21 CLAIMS, 1 SHEET OF DRAWINGS; PRELIMINARY AMENDMENT WITH APPENDICES A, B, AND C TO BE EXAMINED ; EXECUTED DECLARATION AND POWER OF ATTORNEY; PCT/ISA/237 (WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY); PCT/IB/308 (SECOND AND SUPPLEMENTARY NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION); PCT/RO/101 (PCT REQUEST); POSTCARD FOR EARLY NOTIFICATION OF THE SERIAL NUMBER REQUEST.																								
The following fees are submitted:		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:60%;"></th> <th style="width:20%; text-align: center;">CALCULATION</th> <th style="width:20%; text-align: center;">PTO USE ONLY</th> </tr> </table>		CALCULATION	PTO USE ONLY																			
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21. <input checked="" type="checkbox"/> Basic National Fee (37 CFR 1.492(a))..... \$ 300.00		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:60%;"></td> <td style="width:20%; text-align: center;">\$ 300.00</td> <td style="width:20%;"></td> </tr> </table>		\$ 300.00																				
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22. <input checked="" type="checkbox"/> Examination Fee (37 CFR 1.492 (c)) If the written opinion prepared by ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)\$ 0.00 All other situations \$ 200.00		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:60%;"></td> <td style="width:20%; text-align: center;">\$ 200.00</td> <td style="width:20%;"></td> </tr> </table>		\$ 200.00																				
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23. <input checked="" type="checkbox"/> Search Fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$ 0.00 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$ 100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB\$ 400.00 All other situations \$ 500.00		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:60%;"></td> <td style="width:20%; text-align: center;">\$ 400.00</td> <td style="width:20%;"></td> </tr> </table>		\$ 400.00																				
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Total of 21, 22 and 23		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:60%;"></td> <td style="width:20%; text-align: center;">\$ 900.00</td> <td style="width:20%;"></td> </tr> </table>		\$ 900.00																				
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— Additional fee for specification and drawings filed in paper over 100 sheets (excluding Sequence listing or computer program listing filed in an electronic medium). The fee is \$ 250.00 for each additional 50 sheets of paper or fraction thereof.		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:60%;"></td> <td style="width:20%; text-align: center;">\$ 0.00</td> <td style="width:20%;"></td> </tr> </table>		\$ 0.00																				
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Surcharge of \$130.00 for furnishing the oath or declaration later than 20 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:60%;"></td> <td style="width:20%; text-align: center;">\$ 0.00</td> <td style="width:20%;"></td> </tr> </table>		\$ 0.00																				
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— Applicant claims small entity status. — Fees above are reduced by 1/2.		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:60%;"></td> <td style="width:20%; text-align: center;">\$ 900.00</td> <td style="width:20%;"></td> </tr> </table>		\$ 900.00																				
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Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:60%;"></td> <td style="width:20%; text-align: center;">\$ 0.00</td> <td style="width:20%;"></td> </tr> </table>		\$ 0.00																				
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Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:60%;"></td> <td style="width:20%; text-align: center;">\$ 0.00</td> <td style="width:20%;"></td> </tr> </table>		\$ 0.00																				
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IAF2004-051948 21 FEB 2006

U.S. Application No. 8
Not Yet Assigned 17

International
Application No.:
PCT/EP2004/051948


Attorney Docket: 27183U

- a. ☒ A check in the amount of \$ 900.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account Number: 14-0112 in the amount of \$ _____ to cover the above fees. (A duplicate copy of this sheet is enclosed.)
- c. ☒ The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account Number: 14-0112.
- d. ☐ Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit Card Information should not be included on this form. Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

Gary M. Nath
NATH & ASSOCIATES PLLC
112 South West Street,
Alexandria, VA 22314
Tel: 1-703-548-6284
Fax: 1-703-683-8396



Gary M. Nath, Reg. No. 26,965
Sheldon M. McGee, Reg. No. 50,454
Customer No. 34375

10/568817

MAIL STOP PCT

Attorney Docket: 271830

Date: February 21, 2006

21 FEB 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

WOLLIN

Serial No.: Not Yet Assigned

Filed: February 21, 2006

International Application No.: PCT/EP2004/051948

International Filing Date: 27 August 2004 (27.08.2004)

Title: **COMPOSITION COMPRISING A PULMONARY SURFACTANT AND A PDE2 INHIBITOR**

TRANSMITTAL LETTER


Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Application Data Sheet;
- 2) Transmittal Letter to U.S. Designated/Elected Office (DO/EO/US) Concerning filing under 35 U.S.C. 371;
- 3) International Publication Number: WO 2005/021037 A1, with PCT/ISA/210 (International Search Report); International Publication Date: 10 March 2005 (10.03.2005), which consists of 25 pages:
 - 1 page for the Cover Sheet, with Abstract,
 - 18 pages of Textual Specification,
 - 5 pages of 21 Claims,
 - 1 sheet of Drawings;
- 4) **Preliminary Amendment with Appendices A, B and C to be Examined;**
- 5) Executed Declaration and Power of Attorney;
- 6) PCT/ISA/237 (Written Opinion of the International Searching Authority);
- 7) PCT/IB/308 (Second and Supplementary Notice Informing the Applicant of the Communication of the International Application);
- 8) PCT/RO/101 (PCT Request);
- 9) Check No.: 1686 in the Amount of \$ 900.00 for Basic Filing Fee, which includes the Search and Examination Fees, as a Large Entity;
- 10) Postcard for Early Notification of the Serial Number Request.

Respectfully submitted,
NATH & ASSOCIATES PLLC


Gary M. Nath, Reg. No. 26,965
Sheldon M. McGee, Reg. No. 50,454
Customer No. 34375

NATH & ASSOCIATES PLLC
112 South West Street,
Alexandria, VA 22314
GMN/SMM/le